

1 Michael J. Gearin, WSBA # 20982
David C. Neu, WSBA # 33143
2 Brian T. Peterson, WSBA # 42088
K&L GATES LLP
925 Fourth Avenue, Suite 2900
3 Seattle, WA 98104-1158
(206) 623-7580
4
5
6

Honorable Christopher M. Alston
Chapter 11
Hearing Location: Seattle, Rm. 7206
Hearing Date: February 3, 2017
Hearing Time: 9:30 a.m.
Response Date: January 27, 2017

7 UNITED STATES BANKRUPTCY COURT
8 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

9 In re:
10 NORTHWEST TERRITORIAL MINT, LLC,
11 Debtor.
12

Case No. 16-11767-CMA

**REPLY IN SUPPORT OF MOTION TO
APPROVE EMPLOYMENT OF CHIEF
EXECUTIVE OFFICER**

13 Mark Calvert, the Chapter 11 Trustee (the “Trustee”) of Northwest Territorial Mint, LLC
14 (“NWTM” or “Debtor”) submits this reply in support of his Motion to Approve the Employment of
15 Bill M. Atalla as Chief Executive Officer (the “Motion”).

16 The Response of the Official Unsecured Creditors’ Committee (the “Committee”) to
17 Trustee’s Motion to Approve Employment of Chief Executive Officer (Dkt. 888) supports the
18 Trustee’s motion to employ a chief executive officer, reserving the right to comment on the specific
19 terms of proposed employment and compensation. The Trustee has received comments from the
20 Committee and has proposed modifications to the structure of certain compensation components of
21 the proposed employment agreement with Mr. Atalla. The Trustee is working to finalize a written
22 form of employment agreement which will include these modifications and remains in discussion
23 with the Committee regarding those issues. The Trustee intends to file the proposed employment
24 agreement in advance of the hearing on the Motion.

25 Creditor Jeffrey Mark McMeel (“McMeel”) filed a response to the Motion entitled “Stock
26 Issue Order on Condition of Motion to Approve Employment of Chief Executive Officer”

REPLY IN SUPPORT OF MOTION TO APPROVE
EMPLOYMENT OF CHIEF EXECUTIVE OFFICER - 1

K&L GATES LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

1 (Dkt. 867). The McMeel response provides no legal basis for imposing conditions on the Trustee's
2 motion to employ a chief executive officer. To the extent that the McMeel response is construed as
3 an objection to the Motion, it should be overruled.

4 Dated this 31st day of January, 2017.

5
6 K&L GATES LLP

7 By /s/ Michael J. Gearin

8 Michael J. Gearin, WSBA #20982

9 David C. Neu, WSBA #33143

10 Brian T. Peterson, WSBA #42088

11 Attorneys for Mark Calvert, Chapter 11 Trustee
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CERTIFICATE OF SERVICE

The undersigned declares as follows:

That she is a Paralegal in the law firm of K&L Gates LLP, and on January 31, 2017, she caused the foregoing document to be filed electronically through the CM/ECF system which caused Registered Participants to be served by electronic means, as fully reflected on the Notice of Electronic Filing.

Also on January 31, 2017, she caused the foregoing document to be mailed to the addresses listed below:

Northwest Territorial Mint LLC
c/o Ross Hansen, Member
P.O. Box 2148
Auburn, WA 98071-2148

Jeffrey Mark McMeel
900 Jefferson St. SE
Olympia, WA 98501

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

Executed on the 31st day of January, 2017 at Seattle, Washington.

/s/ Denise A. Evans
Denise A. Evans